

Dear Senators MCKENZIE, Davis, Stennett, and
Representatives LOERTSCHER, Batt, Smith:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
Idaho State Police - Idaho State Racing Commission:
IDAPA 11.04.02 - Rules Governing Simulcasting - Temporary and Proposed Rule (Docket No.
11-0402-1401).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 09/22/2014. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 10/21/2014.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the
memorandum attached below.



Jeff Youtz
Director

Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate State Affairs Committee and the House State Affairs Committee
FROM: Senior Legislative Research Analyst - Ryan Bush
DATE: September 3, 2014
SUBJECT: Idaho State Police - Idaho State Racing Commission

IDAPA 11.04.02 - Rules Governing Simulcasting - Temporary and Proposed Rule (Docket No. 11-0402-1401)

The Idaho State Racing Commission submits notice of temporary and proposed rulemaking at IDAPA 11.04.02 - Rules Governing Simulcasting. This rule provides that a licensee may not apply for a license to conduct historical racing unless that licensee holds a current simulcast license and has conducted simulcasting of live racing for at least one year.

The Commission states that negotiated rulemaking was not conducted because this rule was discussed with input from affected parties and is simple in nature. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Commission in Section 54-2506, Idaho Code.

cc: Idaho State Police - Idaho State Racing Commission
Teresa Baker

**IDAPA 11 - IDAHO STATE POLICE
IDAHO STATE RACING COMMISSION**

11.04.02 - RULES GOVERNING SIMULCASTING

DOCKET NO. 11-0402-1401

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 23, 2014.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Section 54-2506, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 17, 2014.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Before a license to conduct historic racing is granted to a licensee, this rule will require a licensee who applies for a license to have a current simulcast license and to have conducted simulcasting of live racing for at least one (1) year.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section(s) 67-5226(1)(a), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Providing this language will ensure that a licensee who desires to conduct historic racing in the state of Idaho has a commitment to the sport of live racing.

FEE SUMMARY: No fees are imposed by this rule.

FISCAL IMPACT: There is no negative impact on the state general fund.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because this rule was discussed with input from the affected parties at the July 23, 2014 meeting of the Idaho Racing Commission and is simple in nature.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

No materials were incorporated by reference into this rule.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Frank Lamb, Racing Commission Executive Director, at (208) 884-7080.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 24, 2014.

DATED this 23rd Day of July, 2014.

Frank Lamb, Executive Director
Idaho Racing Commission
700 S Stratford Drive
Meridian, Idaho 83642
Tel: (208) 884-7080
Fax: (208) 884-7098

**THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT
OF DOCKET NO. 11-0402-1401
(Only those Sections being amended are shown.)**

049. HISTORICAL HORSE RACE LICENSING.

01. No Historical Horse Race Wagering Conducted Without a License. Wagering on an historical horse race shall only be conducted by a licensee approved by the Commission. (3-20-14)

02. Historical Horse Race Horse Breed. A licensee may conduct wagering on historical horse races of any horse breed regardless of the type of breed that primarily races in live meets, if any, conducted by the licensee. (3-20-14)

03. Approved Days and Hours. A licensee may conduct wagering on historical races on any days and hours that is in conformity with local municipalities and approved by the Commission. (3-20-14)

04. Cash or Cash Vouchers Only. Historical horse racing terminals shall use cash or cash vouchers only. (3-20-14)

05. License Must Hold Current Simulcast License. A licensee may not apply for a license to conduct historical racing unless that licensee holds a current simulcast license and has conducted simulcasting of live racing for a period of at least one (1) year. (7-23-14)T